

**THURSDAY, JANUARY 10, 1991**

**THIRD ORGANIZATIONAL DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Marvin Nails, Whitsett Chapel Baptist Church, Nashville, Tennessee.

Representative John Arriola led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R. (Shelby), Jones, U. (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. West moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 18 out of order, which motion prevailed.

**Senate Joint Resolution No. 0018 -- Memorials, Professional and Business Achievement -- E. W. Wendell, President and CEO of Opyrland, USA, Inc.**

On motion, the rules were suspended for the immediate consideration of the resolution.

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

On motion of Rep. West, the resolution was concurred in.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 8:** Rep(s). Fowkles as prime sponsor(s).

**INTRODUCTION OF RESOLUTIONS**

**House Joint Resolution No. 0013** -- Memorials, Sports -- Tony Cosey, cross country. by \*Severance.

Introduced; held on the Clerk's desk pending appointment of appropriate standing committee.

**\*House Joint Resolution No. 0014** -- Constitutional Amendments -- Repeals lottery prohibition. by \*Hubbard.

Introduced; held on the Clerk's desk pending appointment of appropriate standing committee.

**SENATE JOINT RESOLUTIONS**  
**(Congratulatory and Memorializing)**

**Senate Joint Resolution No. 0001** -- Memorials, Public Service -- Ray Moore, County Executive, Warren County.

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0002** -- Memorials, Public Service -- Homer Rogers.

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0003** -- Memorials, Retirement -- Dr. Robert L. Young,.

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0004** -- Memorials, Personal Achievement -- Robert Jason Newby.

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0005 -- Memorials, Retirement -- Merle C. Meyers.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0006 -- Memorials, Death -- Commissioner Huston "Hootie" Prater.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0007 -- Memorials, Professional and Business Achievement -- Caney Fork Electric Cooperative, Fiftieth Anniversary.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0008 -- Memorials, Professional and Business Achievement -- Floyd Bouldin and Bouldin & Lawson, Inc.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0010 -- Memorials, Professional and Business Achievement -- Hoskins A. Shadow, 1990 Nurserymen's Hall of Fame award recipient.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0011 -- Memorials, Public Service -- Andy Henshaw, Franklin County.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0012 -- Memorials, Public Service -- Wade S. Williams, Tennessee Highway Patrol.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0013 -- Naming and Designating -- Purple Martin Capital, Mt. Juliet.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

**Senate Joint Resolution No. 0014 -- Memorials, Retirement -- General Sessions Judge Robert Holt.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0015 -- Memorials, Death -- Joe H. Womack.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0016 -- Memorials, Sports -- Tullahoma High School boys' baseball team.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0017 -- Memorials, Professional and Business Achievement -- Burroughs-Ross-Colville Company.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0019 -- Memorials, Sports -- Lincoln County High School football team, Class AAA state champions.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0020 -- Memorials, Death -- Former Senator Johnny V. Crow.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0021 -- Memorials, Public Service -- Dr. John M. Crothers, Department of Economic and Community Development.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0022 -- Memorials, Professional and Business Achievement -- Beecher Clark, 1990 National Blind Worker of the Year.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0023 -- Memorials, Professional and Business Achievement -- Fairview Chamber of Commerce.**

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**Senate Joint Resolution No. 0032 -- Memorials, Death -- Glenn Yoakum.**

Held on the Clerk's desk pending appointment of the appropriate standing committee.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration.

**House Bill No. 0019 -- Courts -- Enacts "Small Claims Court Act of 1991". by \*West.**

Passed first consideration.

**\*House Bill No. 0020 -- Insurance Companies, Agents, Brokers -- Requires applications for insurance to contain certain information in bold type and signature of applicant. Amends TCA 56-7-103. by \*West.**

Passed first consideration.

**\*House Bill No. 0021 -- Salaries and Benefits -- Increases fines for violation of certain wage regulations; permits department to inspect employer's records during certain hours. Amends TCA 50-2-103. by \*West.**

Passed first consideration.

**\*House Bill No. 0022 -- Litter Control -- Increases penalty for littering. Amends TCA 39-14-502. by \*West.**

Passed first consideration.

**\*House Bill No. 0023 -- Motor Vehicles, Titling and Registration -- Authorizes special license plates for certain Marine Corps veterans. Amends TCA, Title 55, Ch. 4, Pt. 2. by \*West.**

Passed first consideration.

**\*House Bill No. 0024 -- Railroads -- Authorizes designated representative to serve on certain railway boards. Amends TCA 7-56-203. by \*West.**

Passed first consideration.

**\*House Bill No. 0025 -- Telecommunications -- Revises use of automatic dialing equipment to advertise products or conduct polls. Amends TCA, Title 47, Ch. 18, Pt. 15. by \*West.**

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

Passed first consideration.

**\*House Bill No. 0026** -- Aircraft and Airports -- Allows increased flexibility in making certain appointments to board of commissioners of metropolitan airport authority. Amends TCA 42-4-105. by \*West.

Passed first consideration.

**\*House Bill No. 0027** -- Credit Cards -- Prohibits requiring credit card number in order to cash check. Amends TCA, Title 47, Ch. 22, Pt. 1. by \*West.

Passed first consideration.

**\*House Bill No. 0028** -- Surveyors -- Allows for establishment of continuing educational requirements for surveyors. Amends TCA 62-18-106. by \*Robinson Robb, \*Hubbard, \*Holcomb.

Passed first consideration.

**House Bill No. 0029** -- Bradley County -- Enacts hotel motel tax. by \*Bivens, \*Harrill.

Passed first consideration.

**\*House Bill No. 0030** -- Hotels and Restaurants -- Increases amount of permit fees retained by county health departments performing state inspections of hotels, food service establishments and public swimming pools. Amends TCA, Title 68, Ch. 14. by \*Severance.

Passed first consideration.

**\*House Bill No. 0031** -- Motor Vehicles -- Establishes procedures for inspection of motor vehicle records. Amends TCA 55-2-106. by \*Severance.

Passed first consideration.

**\*House Bill No. 0032** -- Firearms and Ammunition -- Removes requirement that weapons must be carried with intent to go armed on school property or in public parks in order to be unlawful. Amends TCA, Title 39, Ch. 17, Pt. 13. by \*Hubbard.

Passed first consideration.

**\*House Bill No. 0033** -- Historical Sites -- Allows municipalities to enact ordinances to prevent demolition of historic landmarks due to economic hardship. Amends TCA 13-7-407. by \*Hubbard, \*Venable.

Passed first consideration.

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

**House Bill No. 0034** -- Constitutional Conventions -- Creates constitutional convention to abolish lottery prohibition. by \*Hubbard.

Passed first consideration.

**\*House Bill No. 0035** -- Drug and Alcohol Rehabilitation -- Enacts "Alcohol, Drug, and Mental Health Local Authority Act". Amends TCA, Titles 4, 33, 41, 49. by \*Dixon.

Passed first consideration.

**\*House Bill No. 0036** -- Election Laws -- Authorizes use of computerized printouts at polling places instead of duplicate registration records. Amends TCA 2-5-216. by \*Wood, \*Robinson C B.

Passed first consideration.

**House Bill No. 0037** -- Motor Vehicles -- Enhances penalties for second and subsequent violations of the energy absorption system requirements. Amends TCA 55-9-215. by \*Rhinehart.

Passed first consideration.

**\*House Bill No. 0038** -- Sunset Laws -- Extends termination date of water and wastewater operators, board of certification. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 13. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0039** -- Sunset Laws -- Extends termination date of air pollution control board. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 18; Title 68, Ch. 25. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0040** -- Sunset Laws -- Extends termination date of department of safety. Amends TCA, Title 4, Chs. 3, 29; Title 55. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0041** -- Sunset Laws -- Deletes duplicate reference to Tennessee state veterans' home board. Amends TCA, Title 4, Ch. 29; Title 58, Ch. 7. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0042** -- Sunset Laws -- Extends termination date of solid waste disposal control board. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 54; Title 68, Chs. 31, 46. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

**House Bill No. 0043** -- Juries and Jurors -- Exempts court employees and law enforcement officers from jury duty. Amends TCA 22-1-103. by \*Walley.

Passed first consideration.

**House Bill No. 0044** -- Children -- Allows court to refer investigation of social condition of certain children to licensed child placing agencies. Amends TCA 37-1-128. by \*Walley.

Passed first consideration.

**House Bill No. 0045** -- Custody and Support -- Allows cost of social investigations to be charged to party in custody proceeding. Amends TCA 37-1-150. by \*Walley.

Passed first consideration.

**\*House Bill No. 0046** -- Sunset Laws -- Extends termination date of department of conservation. Amends TCA, Title 4, Chs. 3, 29, 34; Title 11. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0047** -- Sunset Laws -- Extends termination date of occupational safety and health administration labor advisory council. Amends TCA, Title 4, Ch. 29; Title 50, Ch. 3. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0048** -- Sunset Laws -- Extends termination date of historical commission. Amends TCA, Title 4, Chs. 11, 29. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0049** -- Motor Vehicles, Titling and Registration -- Requires validation stickers to be affixed to the rear windows of motor vehicles. Amends TCA, Title 55. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**\*House Bill No. 0050** -- Sunset Laws -- Extends termination date of health facilities commission. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 5; Title 56, Ch. 7; Title 68, Ch. 11. by \*King, \*Garrett, \*Jones R.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and held on the Clerk's desk as noted.



## **THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

**House Bill No. 0012 -- Publications, State --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0013 -- Highway Signs --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0014 -- Election Laws --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0015 -- Election Laws --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0016 -- Financial Disclosure --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0017 -- Lafayette --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0018 -- Development Districts --** Passed second consideration and held on the Clerk's desk pending appointment of the appropriate standing committee.

### **APPOINTMENT OF STANDING COMMITTEES**

Pursuant to House Rules Nos. 6 and 7, the Speaker appointed the following Standing Committees and Officers:

**AGRICULTURE COMMITTEE - Ray Davis (Gibson), Chair; Lane Curlee, Vice-chair; Ken Givens, Secretary; McKee; Niceley; Robinson (Washington); Walley; Williams (Union).**

**COMMERCE COMMITTEE - Shelby Rhinehart, Chair; Steve Bivens, Vice-chair; Doug Jackson, Secretary; Allen; Anderson; Byrd; Coffey; Cole; Copeland; Curlee; Davis (Gibson); Gunnels; Hassell; Haun; Holt; Hubbard; Johnson; Moore; Napier; Peroulas Draper; Phillips; Rigsby; Rinks; Severance; Shirley; Sipes; Turner (Hamilton); Wood.**

**CONSERVATION AND ENVIRONMENT COMMITTEE - Ivory. O. Hillis, Chair; Jerry Cross, Vice-chair; Gary Odom, Secretary; Bittle; Callicott; Crain; Halteman; Joyce; Kernell; Knight; McAfee; McDaniel; Pinion; Severance; Wix.**

**CONSUMER AND EMPLOYEES AFFAIRS - Dick Clark, Chair; Ben West, Vice-chair; Larry Turner (Shelby), Secretary; Arriola; Joyce; Liles; Shirley; Williams (Shelby).**

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

**EDUCATION COMMITTEE** - Gene Davidson, Chair; Les Winningham, Vice-chair; Ulysses Jones (Shelby), Secretary; Bell; Bivens; Callicott; Chumney; Davis (Cocke); Dixon; Halteman; Hill; Holcomb; King; McKee; Peroulas Draper; Pinion; Robinson (Hamilton); Stamps; Tindell; Turner (Shelby); Whitson; Williams (Union).

**FINANCE WAYS AND MEANS** - John Bragg, Chair; Matt Kisber, Vice-chair; Tommy Head, Secretary; Armstrong; Bell; Chiles; Coffey; Collier; Copeland; Davidson; Duer; Garrett; Givens; Haun; Hillis; Huskey; Rufus Jones (Shelby); Kent; Love; Moore; Nuber; Purcell; Rhinehart; Ridgeway; Robinson (Davidson); Robinson (Hamilton); Whitson; Winningham; Wix; Wood.

**GENERAL WELFARE COMMITTEE** - Roscoe Dixon, Chair; Mary Pruitt, Vice-chair; Joe Armstrong, Secretary; Arriola; Chiles; DeBerry; Duer; Ferguson; Harrill; Herron; Holcomb; Jackson; McDaniel; Nuber; Odum; Robinson (Washington).

**GOVERNMENT OPERATIONS COMMITTEE** - Alvin King, Chair; Mike Kernell, Vice-chair; Tim Garrett, Secretary; Allen; DeBerry; Haley; Hill; McAfee.

**JUDICIARY COMMITTEE** - Frank Buck, Chair; Dan Byrd, Vice-chair; Roy Herron, Secretary; Chumney; Clark; Davis (Knox); Hargrove; Purcell; Stamps; Turner (Hamilton); Venable; Williams (Shelby); Windle.

**STATE AND LOCAL GOVERNMENT COMMITTEE**; Harold Love, Chair; Rufus Jones (Shelby), Vice-chair; Harold Holt, Secretary; Cross; Davis (Knox); Fowlkes; Hargrove; Hubbard; Huskey; Ulysses Jones (Shelby); Kent; Kisber; Knight; Liles; Meyer; Niceley; Phillips; Pruitt; Tindell; Tullos; Walley; West.

**TRANSPORTATION COMMITTEE** - Robb Robinson (Davidson), Chair; J. B. Napier, Vice-chair; Bill Collier, Secretary; Anderson; Bittle; Bragg; Buck; Cole; Crain; Davis (Cocke); Ferguson; Fowlkes; Gunnels; Haley; Harrill; Hassell; Head; Johnson; Meyer; Ridgeway; Rigsby; Rinks; Sipes; Tullos; Venable; Windle.

**CALENDAR AND RULES COMMITTEE** - Pete Phillips, Chair; Brenda Turner, Vice-chair; Calvin Moore, Secretary.

**SIGNED**  
**January 10, 1991**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 9.

**MESSAGE FROM THE SENATE**  
**January 10, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint

**THURSDAY, JANUARY 10, 1991 -- THIRD ORGANIZATIONAL DAY**

Resolution(s) No(s). 6; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**January 10, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 18; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**  
**January 10, 1991**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 18.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 99

Representatives present and not voting were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R. (Shelby), Jones, U. (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**MOTION TO RECESS**

Pursuant to Senate Joint Resolution No. 28, Representative Purcell moved that the House stand in recess until 2:00 p.m. for the Joint Convention at 2:30 p.m. on Friday, January 18, 1991.